

United States District Court

EASTERN DISTRICT OF WISCONSIN

COURT MINUTES

HON. **William E. Duffin**, presiding.

DATE: **August 2, 2018 at 11:00 A.M.**

CASE NO. **16-CR-021**

UNITED STATES v. **Samy Mohammed Hamzeh**

PROCEEDING: **In Court Hearing**

Deputy Clerk: Mary Murawski

Court Reporter: FTR Gold

Time Called: 11:00:47

Time Concluded: 11:14:36

UNITED STATES by: **Gregory J. Haanstad, Benjamin Taibleson,
and Hasan Gungor, Unit Chief FBI**

DEFENDANT: **Samy Mohammed Hamzeh**, in person, and by

ATTORNEY: **Craig Albee**

COURT:

- Here today to find out the govt's progress on the transcripts the govt intends to introduce at trial. Court listened to recording of Judge Pepper's hearing and the current efforts by the govt to get this material to defense.

TAIBLESON: Believe 40% the way through the 29 transcripts.

- There are 8 translators in Chicago devoted to this project.
- 1 translator will be responsible in reviewing these transcripts and testifying at trial.
- Requesting the court set another status conference for beginning of next month.
- Believe it should be done by then.

ALBEE:

- It sounds there is a greater certainty that it will be completed.
- Agreeable to status conference early next month.
- Spoke to Mr. Taibleson earlier this morning regarding discovery. Defense turned over their transcripts to govt with the idea they would get feedback from the govt on their transcriptions as well.
- Defense not sure if they are done with their translations of those transcripts. Mr. Bugni is handling that matter.

COURT addresses Hasan Gungor. Mr. Gungor notes that the complete transcripts will be turned over to the govt by August 27, 2018.

TAIBLESON: These transcripts are not just excerpts that the govt intends to introduce at trial, but the full transcripts. Would like some time to review those transcripts and so asking for status hearing the first week of September.

TAIBLESON: Court ordered 24 items that the government needed to produce and they fall into 3 different responses: 1) They don't exist; 2) Govt has and will turn over shortly; 3) Is covered under CIPA motion that will be filed by the August 8th deadline. This covers the 24 items in court order plus a few other things defense is requesting.

COURT would like to hold off on the spoliation hearing until after the September status conference. Things may fall off or be added to the agenda for that hearing.

ALBEE: Agrees with the court.

TAIBLESON: Will get the name of the person handling the final translations, and who will also be testifying at trial to defense counsel.

GUNGOR addresses the court. Hasan Gungor is a Unit Chief at FBI headquarters. He is responsible for Middle Eastern and African languages. He manages workloads and assignment of the work across the US. Also, supervising linguistic support to FBI cases. Not in Chicago supervising the linguists, but is in contact and is addressing the tasks to linguists and directing who is working on what. Very confident they will be completed.

COURT makes a speedy trial finding. The court is satisfied that this case is so unusual and complex due to the nature of the charges being prosecuted that it is unreasonable to expect adequate preparation for pretrial proceedings and for the trial itself within the time limits established pursuant to 18:3161, the ends of justice served by taking such action outweigh the best interests of the public and the defendant in a speedy trial. Therefore, the time from today until September 5, 2018 is excluded under the speedy trial deadline under 18:3161(h)(7)(B)(ii).

Status Conference for September 5, 2018 at 10:00 A.M.